



Commissioner for Patents
Washington, DC 20231
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/043,639	01/09/2002	Patricia Sarcabal	CHEP:004US

Mark B. Wilson
Fulbright & Jaworski L.L.P.
Suite 2400
600 Congress Avenue
Austin, TX 78701



CONFIRMATION NO. 6528

FORMALITIES LETTER



OC000000009045521

Date Mailed: 10/31/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because
 - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-10

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$195 for a Small Entity

- \$65 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required

A copy of this notice MUST be returned with the reply.

Y.G.
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Patricia Sarcabal *et al.*

Serial No.: 10/043,639

Filed: January 9, 2002

For: METHOD FOR PREPARING 1,3-
PROPANEDIOL BY A RECOMBINANT
MICRO-ORGANISM IN THE ABSENCE
OF COENZYME B12 OR ONE OF ITS
PRECURSORS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: CHEP:004US

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is, being
deposited with the U.S. Postal Service with
sufficient postage as First Class Mail in an
envelope addressed to: Box Missing Parts,
Commissioner for Patents, Washington, DC
20231, on the date below:

December 30, 2002
Date

[Signature]
Mark B. Wilson

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Adjustment date: 02/12/2003
01/06/2003 SLUANG1 00000016 10043639
04 FC:1202 1498.00 OP

01/06/2003 SLUANG1 00000016 10043639
01 FC:1201 304.00 OP
02 FC:1202 594.00 OP

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37
C.F.R. § 1.53(b), dated October 31, 2002, there are enclosed herewith:

- (a) Declaration executed on behalf of Patricia Sarcabal, Christian Croux and Philippe

Soucaille:

01/06/2003 SLUANG1
00000026 10043639
-376.00 OP

01/06/2003 SLUANG1 00000016 10043639

01 FC:1001 740.00 OP
02 FC:1051 130.00 OP
03 FC:1052 130.00 OP
04 FC:1202 1498.00 OP

- (b) Three Powers of Attorney on behalf of Institut National de la Recherche Agronomique, Institut National des Sciences Appliquees de Toulouse, and Centre National de la Recherche Scientifique;
- (c) Change of Status From Small Entity To Large Entity;
- (d) Preliminary Amendment;
- (e) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (f) Computer Readable Form of Sequence Listing;
- (g) Paper Copy of Sequence Listing;
- (h) English translation of Specification with statement;
- (i) Substitute Drawings, Figures 1-10 on 10 sheets;
- (j) Our check in the amount of \$1728.00.00 to cover the deficiency filing fee for a large entity (\$370.00); surcharge for late filing (\$130.00); additional claims fee (\$1098.00); fee for English translation (\$130.00); and
- (k) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted.

An Assignment to Institut National de la Recherche Agronomique, Institut National des Sciences Appliquees de Toulouse, and Centre National de la Recherche Scientifique and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212 CHEP:004US.



Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

Mark B. Wilson
Reg. No. 37,259
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: December 30, 2002



I,
Claude JUPIN
c/o Cabinet HARLE & PHELIP
7 rue de Madrid
75008 PARIS
France

declare as follows :

That I am well acquainted with the French and English languages ; and

That to the best of my knowledge and belief, this translation is a true and accurate translation into English of International (PCT) application n° PCT/FR00/01981 filed on the 7th July 2000 in the names of 1) INSTITUT NATIONAL DE LA RECHERCHE AGRONOMIQUE (INRA) 2) INSTITUT NATIONAL DES SCIENCES APPLIQUEES DE TOULOUSE, 3) CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE for : "Process for the preparation of 1,3-propanediol by a recombinant micro-organism in the absence of coenzyme B12 or one of its precursors".

Signed in PARIS this 3rd April 2002

Claude JUPIN



FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
600 CONGRESS AVENUE, SUITE 2400
AUSTIN, TEXAS 78701-3271
WWW.FULBRIGHT.COM

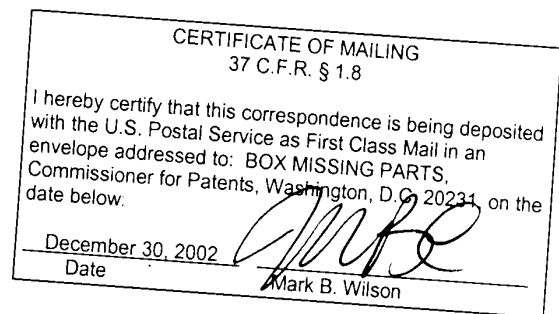
MARK B. WILSON
PARTNER
MBWILSON@FULBRIGHT.COM

DIRECT DIAL: (512) 536-3035
TELEPHONE: (512) 474-5201
FACSIMILE: (512) 536-4598

December 30, 2002

BOX MISSING PARTS

Commissioner for Patents
Washington, DC 20231



RE: U.S. Patent Application No. 10/043,639 entitled "METHOD FOR PREPARING 1,3-PROPANEDIOL BY A RECOMBINANT MICRO-ORGANISM IN THE ABSENCE OF COENZYME B12 OR ONE OF ITS PRECURSORS" - Patricia Sarcabal et al.
Our reference: CHEP:004US
Client reference: K616PCT/US

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed October 31, 2002;
- (2) Declaration;
- (3) Three Powers of Attorney;
- (4) Change of Status From Small Entity To Large Entity;
- (5) Preliminary Amendment;
- (6) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (7) Computer Readable Form of Sequence Listing;
- (8) Paper Copy of Sequence Listing;

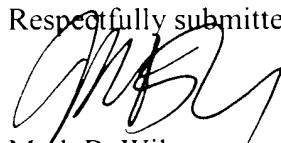
25246423.1

Commissioner for Patents
December 30, 2002
Page 2

- (9) English translation of Specification with statement;
- (10) Substitute Drawings, Figures 1-10 on 10 sheets;
- (11) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(c)-Filing Date Granted;
- (12) Check in the amount of \$1728.00; and
- (13) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/CHEP:004US.

Respectfully submitted,



Mark B. Wilson
Reg. No. 37,259

MBW/mar
Encl: as noted



4

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:
Patricia Sarcabal *et al.*

Serial No.: 10/043,639

Filed: January 9, 2002

For: METHOD FOR PREPARING 1,3-
PROPANEDIOL BY A RECOMBINANT
MICRO-ORGANISM IN THE ABSENCE
OF COENZYME B12 OR ONE OF ITS
PRECURSORS

Group Art Unit: Unknown

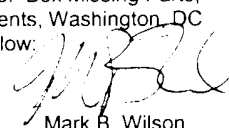
Examiner: Unknown

Atty. Dkt. No.: CHEP:004US

**CERTIFICATE OF MAILING
37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

December 30, 2002
Date


Mark B. Wilson

**CHANGE OF STATUS FROM SMALL
ENTITY TO LARGE ENTITY**

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants hereby request a change of status from small entity to large entity for the above-identified matter.

Applicants submit herewith a check for \$1728.00, which includes the deficiency fee of \$370.00, which represents the deficiency occasioned by the payment of small entity rather than

large entity fees during the prosecution of this case. The deficiency is based on the amount of fees in effect as of the date of this submission, pursuant to 37 C.F.R. §1.28(c).

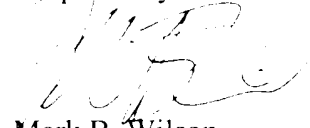
Specifically, the check includes dollar amounts as follows for the following items:

Small Entity Amount Paid	Item/Date Submitted	Large Entity Fee	Deficiency Submitted Herewith
\$370.00	Utility Application – January 9, 2002	\$740.00	\$370.00

If the Commissioner of Patents and Trademarks determines that any other fees or deficiencies are occasioned by this error in the entity status of the application, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/CHEP:004US.

Applicants regret this inadvertent error and request that it be corrected.

Respectfully submitted,



Mark B. Wilson
Reg. No. 37,259
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: December 30, 2002